

Fax Cover Sheet



Pharmaceuticals

To: Examiner Switzer Examiner, Art Unit 1634
 Tel. 703-306-5824
 Fax 703-872-9306

Copies:

From: Lyman H. Smith Tel. 973-235-3916
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Date: August 21, 2003

No. of pages: 11 (incl. cover sheet)

Please enter and forward the attached response to Examiner Switzer.

Enclosed, please find :

Amendment and Response (8 pages)
Certificate of Transmission under 37 CFR 1.8 (1 page)
Request for a one-month extension of time (1 page)

PTO/SB/97 (08-00)

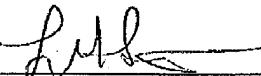
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I hereby certify that this correspondence is being facsimile transmitted to the
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on August 21, 2003

Date



Signature

Lyman H. Smith

Typed or printed name of person signing Certificate

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Enclosed, please find :

Amendment and Response (8 pages)

Request for a one-month extension of time (1 page)

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/22 (10-00)

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PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)		Docket Number (Optional) 20678
In re Application of Kaul et al.		
Application Number 09/864,954		Filed May 24, 2001
For A Nucleic Acid Which is Upregulated in Human Tumor Cells...		
Group Art Unit 1634	Examiner Switzer	

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows
(check time period desired):

- | | | |
|---|-------------|-----------|
| <input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1)) | (\$110.00) | \$ 110.00 |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | (\$410.00) | \$ _____ |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | (\$930.00) | \$ _____ |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | (\$1450.00) | \$ _____ |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | (\$1970.00) | \$ _____ |

- Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$_____.
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Commissioner has already been authorized to charge fees in this application to a Deposit Account.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 08-2525. I have enclosed a duplicate copy of this sheet.

I am the applicant/inventor

- assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).
- attorney or agent of record.
- attorney or agent under 37 CFR 1.34(a).
Registration number if acting under 37 CFR 1.34(a)_____.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

August 21, 2003

Date

Signature

Lyman H. Smith

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of _____ forms are submitted.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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